

## **7 AGENCY COORDINATION AND PUBLIC INVOLVEMENT**

Agency and public involvement has always been a top priority for the SEHSR project team. Because of the length, and associated complexity of this project, regular coordination with resource agencies, local, state, and federal officials, and the public is vital to maintaining the project schedule and educating the public on the effects of the SEHSR project.

A tiered process was used for the SEHSR project. This proactive approach allows agencies and the public to provide valuable input during the establishment of project corridors and ensures that the regulatory community has an early opportunity for input. It also maximized public involvement and educational opportunities for the overall project concept. Such an approach does require that the resource agencies devote resources at an earlier stage than is typical in transportation planning projects. SEHSR staff developed their approach to provide information and receive agency input with the goal of minimizing the time agency staff had to spend away from their other duties.

The Federal Railroad Administration (FRA) acted as the lead federal transportation agency because of its oversight of passenger and freight rail throughout the country. The FRA chose the Federal Highway Administration (FHWA) as a cooperating agency because of the extensive roadway work associated with this project.

The North Carolina Department of Transportation (NCDOT) and the Virginia Department of Rail and Public Transportation (DRPT) served as the lead state transportation agencies. Because of an existing Memorandum of Agreement (MOA) in Virginia, the US Coast Guard, the Army Corps of Engineers (USACE), and the US Fish & Wildlife Service (USFWS) were also invited to participate as formal cooperating agencies. The US Environmental Protection Agency is also participating as a cooperating agency.

### **7.1 Tier II Agency Coordination**

FRA issued a Notice of Intent (NOI) for filing a Tier II DEIS on May 22, 2003 (Volume 68, Number 99; Appendix A). In this notice, FRA invited all interested agencies and the public to comment on the project. These comments were solicited to ensure that all significant issues and reasonable alternatives could be identified and addressed. Agency comments are included in Appendix A.

FRA extended the northern terminus of the project from Main Street Station in Richmond, VA to Collier Rail Yard in Petersburg, VA. A NOI was published in the Federal Register on February 3, 2006 (Volume 71, Number 23; Appendix A). FRA again invited all interested agencies and the public to comment on the project to ensure that all significant issues and reasonable alternatives were identified and addressed in the DEIS. Agency comments to the extension are included in Appendix A.

#### **7.1.1 Agency Scoping Meetings**

The NOI also invited agencies to participate in two scoping (or input gathering) meetings scheduled for June 17-18, 2003, in Richmond, VA, and Raleigh, NC. The purpose of these meetings was to provide an overview of the SEHSR corridor, answer questions, and receive input on issues that should be addressed in the Tier II DEIS. The scoping letter, scoping meeting minutes, and agency comments are included in Appendix A. The following agencies were in attendance or participated in the scoping process by correspondence:

- Alberta Planning Commission
- City of Henderson
- The Chamber of Commerce of Warren County
- County of Dinwiddie
- Crater Planning District Commission
- Federal Railroad Administration
- Federal Highway Administration
- Henderson-Vance Chamber of Commerce
- Henderson-Vance Downtown Development Commission
- Kerr-Tar Rural Planning Organization
- NC Department of Transportation
- NC Railroad Company
- NC Department of Environment and Natural Resources
- NC Wildlife Resources Commission
- Norlina Community Development Association
- Southside Planning District Commission
- Town of La Crosse
- Town of McKinney
- Town of Wake Forest
- Triangle Transit Authority
- US Army Corps of Engineers
- US Coast Guard
- US Environmental Protection Agency
- US Fish and Wildlife Service
- Vance County Economic Development Commission
- VA Department of Conservation and Recreation
- VA Department of Environmental Quality
- VA Department of Historic Resources
- VA Department of Mines, Minerals, & Energy
- VA Department of Rail and Public Transportation
- VA Department of Transportation
- Warren County Planning Department.

### **7.1.2 Advisory Committee Meetings**

The SEHSR project team also formed an Advisory Committee to help guide the project through the regulatory approval and planning processes. In addition to the agencies listed above, the following organizations and agencies participated in the work of the Advisory Committee:

- Amtrak
- Brunswick County Board of Supervisors
- Mecklenburg County Board of Supervisors
- CSX Transportation
- Capital Area Metropolitan Planning Organization (CAMPO)
- Chesterfield County
- City of Colonial Heights
- City of Petersburg
- City of Raleigh
- City of Richmond
- Commonwealth Transportation Board
- Dinwiddie County Board of Supervisors

- Federal Transit Administration
- Franklin County Commissioners
- Kerr-Tar Regional Council of Governments (COG) (Region K)
- NC Department of Cultural Resources
- NC Board of Transportation
- Norfolk Southern
- Northern VA Transportation Commission
- Sprint - LTD
- Town of Kittrell
- Town of Franklinton
- Town of Youngsville
- Town of Middleburg
- Town of Norlina
- Triangle J COG
- VA Department of Agriculture & Consumer Services
- VA Department of Forestry
- VA Department of Health, Office of Drinking Water
- VA Department of Game & Inland Fisheries
- VA Outdoors Foundation
- Wake County Commissioners
- Warren County Commissioners.

On May 4-5, 2004, Advisory Committee meetings were held in Raleigh, NC, and Richmond, VA. The purpose of the meetings was to provide an overview of the SEHSR study, answer questions, verify the need for the project, and receive agency input on options to be evaluated in the Tier II Draft Environmental Impact Statement (DEIS). The meetings also included information about the SEHSR corridor limits and the development of high speed rail alternative alignments using, where possible, existing railroad rights-of-way.

On February 22 and 24, 2006, Advisory Committee meetings were again held in Raleigh, NC and Richmond, VA. The purpose of the meetings was to provide an update of the SEHSR study, detail the approaches used in the railway design, summarize the approach that will be used in the Tier II Draft Environmental Impact Statement (DEIS), and solicit agency input. The committee was also briefed on the extension of the project from Richmond to Petersburg. The meetings concluded with a discussion of the project schedule and a question and answer session.

Additional communications to the Advisory Committee were periodically made by email.

### **7.1.3 Agency-Specific Coordination**

The SEHSR team is dedicated to a proactive approach in dealing with regulatory agencies. When potential areas of concern were found, prompt coordination was conducted with the appropriate agencies. These coordination activities are summarized below.

#### **7.1.2.1 US Fish and Wildlife Service (USFWS)**

In 2003, a population of the federally protected Michaux's sumac (*Rhus michauxii*) was found in the project study area in Virginia. As detailed in Section 4.10, the SEHSR project team entered into informal consultations under Section 7 of the Endangered Species Act (ESA) with USFWS to minimize and/or mitigate for potential impacts to this endangered

species. A meeting was held with USFWS on August 12, 2004 as part of the informal consultation, and a biological assessment (BA) was prepared. The BA was submitted to USFWS on September 29, 2004. On November 8, 2004, USFWS has issued a “not likely to adversely effect” determination for this population and therefore formal consultation was not required. Correspondence and meeting minutes for coordination with USFWS are included in Appendix A.

After the project was extended to Richmond, additional protected species surveys were conducted to evaluate resources north of Collier Yard. In September 14, 2005, a pair of bald eagles was observed along the Appomattox River, just west of the City of Petersburg. On November 21, 2005, the SEHSR rail team began coordination with the VA Department of Game and Inland Fisheries to obtain additional information about bald eagle activity in the project study area. In February 2006, after leaf out, additional surveys were conducted to determine the location of bald eagle nests in the project area. On March 30, 2006 the USFWS was informed of the issue. Coordination with USFWS on April 17, 2006, resulted in an informal effects determination of “not likely to adversely effect” with the condition that the project is located more than 1,250 feet away from the nest.

#### **7.1.2.2 US Army Corps of Engineers (USACE)**

The SEHSR project team coordinated with USACE on the field delineations of waters of the United States, including streams and wetlands, along the project study area. In March 2004, USACE personnel participated in field verifications of wetlands in the portion of the project area between Collier Yard and the VA border with NC. On April 9, 2004 the project team submitted revised mapping of streams and wetlands based on the results of these meetings. On April 23, 2004 the project team asked for written concurrence that the agreed upon assessments were sufficient for the determination of impacts associated with the project alternatives. This concurrence, dated May 17, 2004 from the Norfolk District, is included in Appendix A.

In the NC portion of the project area, field verifications by USACE – Wilmington District took place on February 24, March 2, and April 7, 2004. USACE provided draft concurrence with the field assessments on June 1, 2004 and final concurrence on June 4, 2004. This correspondence is included in Appendix A.

Field assessments of the Richmond to Collier Yard section of the extended project study area took place in early 2007. The project team requested concurrence with the field verifications on July 7, 2007. USACE – Norfolk District provided concurrence with the field assessments on August 16, 2007. This correspondence is included in Appendix A.

#### **7.1.2.3 State Historic Preservation Offices**

The SEHSR project team coordinated with the Virginia Department of Historic Resources (VDHR) and the North Carolina Department of Cultural Resources State Historic Preservation (HPO) office to determine impacts to resources determined eligible for inclusion in the National Register of Historic Places (NRHP) under Section 106 of the National Historic Preservation Act. Section 3.12 describes the cultural resource investigations and eligibility determinations by VDHR and HPO. Section 4.12 describes the effects of the project on resources protected under Section 106. Historic resource correspondence is included in Appendix L.

The project team met with VDHR and HPO several times during the development of project alternatives to discuss impacts to historic resources. Measures to minimize and mitigate for impacts, as well as potential avoidance measures, were also discussed. Determination of effects meetings were held with VDHR on April 15, 2009, August 7, 2009, and November 20, 2009. Similar determination of effects meetings with HPO were held on August 20, 2008, September 2, 2009, and September 29, 2009.

#### **7.1.4 Local Official Coordination**

Representatives from local governments within the SESHHR study area were included in the SESHHR Advisory Committee and their cooperation was vital in the successful completion of the SESHHR DEIS. To maintain safety and speed requirements for effective high speed transport, a number of roads within the project study area were realigned, closed, or grade separated (bridged). Input from local mayors, planners, MPOs, water and sewer officials, EMS managers, and other officials was vital to ensure that the SESHHR project did not compromise community development plans, cut off local neighborhoods, or add an undue burden on users of transportation facilities in the project study area.

In addition to Advisory Committee meetings, meetings were also held for regions, individual communities, or planning groups. On November 15, 2004, functional designs were provided to communities in the project study area showing preliminary rail and road concepts in their area. These concepts were used as a basis for discussion and follow up meetings were undertaken when the community expressed a desire to provide input. In this way, community buy-in was sought prior to detailed design work. As project designs were refined, additional opportunities were provided to local officials to suggest improvements including access improvements, accommodations for planned trails and infrastructure improvements, and changes to manage projected traffic capacity needs. For several communities in the SESHHR study area, multiple meetings were conducted. Comments from local municipalities are included in Appendix B.

## **7.2 Tier II Public Involvement**

### **7.2.1 Mailing List**

A computerized mailing list of state and federal environmental regulatory and resource agencies, elected officials, civic and business groups, local government agencies, and interested persons was compiled at the beginning of the environmental study and continually updated throughout the study process. Updates included obtaining information from tax parcel data, stakeholder correspondence, additions through the project website, and public meetings. At the time of the DEIS preparation, the list contained approximately 25,000 names.

### **7.2.2 Newsletters**

In June 2003, the first SESHHR newsletter was published for the Tier II evaluation. This newsletter provided information on the upcoming environmental document, presented a preliminary schedule, and concluded with a mail-in for inclusion in the SESHHR project mailing list. In March 2006, a project update was sent to those on the project mailing list. The letter discussed extension of the project study area north to Richmond and included a

map and an updated project schedule. Additional project updates were sent out on July 2008 and May 2009. Newsletters are included in Appendix B.

### **7.2.3 Project Website**

NCDOT developed a website to provide access to information on the SEHSR project at the following address: [www.sehsr.org](http://www.sehsr.org). Site users can select from an interactive menu including project history, reports and publications, news releases, frequently asked question, and a project contacts page. Visitors to the site were also given the opportunity to sign up for the project mailing list. The website was updated as new information became available.

### **7.2.4 Project Press Releases**

NCDOT has continued the practice instituted during the Tier I SEHSR corridor study of using press releases as a public outreach tool. Periodic releases were developed and released to media outlets in the SEHSR study area. The news releases were also posted on the project website (see Section 5.3.3). A start of study press release was issued on June 13, 2003. A subsequent press release in August 2004 focused on a study that high speed rail travel between Charlotte, NC and Macon, GA was possible. On February 16, 2007, a press release announced a \$1.5 million grant from DRPT through the Virginia Rail Enhancement Fund to continue work on the SEHSR study. Additional press releases were posted to the website on June 2007, October 2007, December 2007, January 2009, May 2009, June 2009, September 2009, and October 2009. All project press releases are located on the website.

### **7.2.5 Project Hotline**

NCDOT developed a project hotline (1-877-749-7245 or 1-877-749-RAIL) to allow stakeholders to obtain information about the SEHSR Project. The toll free line has been in place for over nine years. Eleven calls were placed to the hotline from June 2006 to June 2009. All phone calls were returned and all questions from residents were satisfactorily answered.

### **7.2.6 Small Group Informational Meetings**

At the beginning of the Tier II DEIS efforts in 2003, workshops were held on the following dates and locations:

- August 5, 2003                      Petersburg, VA
- August 7, 2003                      Alberta, VA
- July 10, 2003                        Dinwiddie, VA
- July 22, 2003                        La Crosse, VA
- July 24, 2003                        Norlina, NC
- June 24, 2003                        Henderson/Kittrell, NC

- June 26, 2003                      Franklinton, NC
- July 17, 2003                      Wake Forest, NC
- July 15, 2003                      Raleigh, NC

Attendees were provided with the Summer 2003 SEHSR project newsletter and the workshop packet, which included the project summary, SEHSR corridor history, study corridor map, frequently asked questions, and a comment sheet. Additional comment sheets and a Spanish-translated version of the FAQ handout were also readily available.

During the informal workshop, attendees were invited to review maps of the study area with potential rail alignments shown over aerial photography. Members of the SEHSR team were available for informal one-on-one questions and answers. A short presentation on the project was given twice during the evening. After each presentation, a brief questions-and-answer session was held concerning the SEHSR project. Summaries of these meetings are included in Appendix B.

Additional workshops were held on March 14, 2006, at Union Station in Petersburg, VA, and on March 16, 2006, in Richmond, VA. A total of 31 people filled out sign in sheets for the March 14 meeting, while 32 people filled out sign in sheets for the March 16 meeting. Workshop comments are summarized in Appendix B.

Seven workshops were held to introduce a multi-use trail concept in conjunction with the SEHSR project. Workshops were held on the following dates and locations:

- February 12, 2009                      Boydton, VA
- February 19, 2009                      Lawrenceville, VA
- February 26, 2009                      Petersburg, VA
- May 7, 2009                              Norlina, NC
- May 14, 2009                             Henderson, NC
- May 21, 2009                            Youngsville, NC
- June 4, 2009                             Wake Forest, NC

### **7.2.7 Project Brochure**

The project team developed a full color, professionally designed brochure titled “SEHSR, It’s Time”, in March 2009 as a call to action on the project. 2000 copies were printed at a cost of \$1.17 each. It has been used as an informational handout in meetings with congressional delegations, civic leaders, and other federal, state, and local elected and appointed officials. A copy can be found on the project website [www.sehsr.org](http://www.sehsr.org).

## 7.3 Section 106 Coordination with Resource Owners

The project team coordinated with numerous individual property owners or officials with jurisdiction over resources protected under Section 106 of the NHPA, with particular focus on resources where the project alternatives would result in an adverse effect. The meetings and correspondence presented below is organized by resource location, north to south through the project corridor.

### 7.3.1 Meetings

A SEHSR meeting was held at the Williams Bridge Company in Richmond, VA, on May 12, 2009. The meeting focused on measures to minimize impacts to the resource.

The SEHSR project team held two meetings in Chesterfield County, VA, to solicit input on measures to minimize impacts to historic resources within the county. The first meeting was held at the Chesterfield Historical Society in Chesterfield County, VA, on April 8, 2009. In attendance were representatives of the historic society and two property owners for the Eichelberger House. A second meeting was held at the Chesterfield County Public Library Enon Branch in Chester, VA, on May 12, 2009. In attendance were property owners representing the Chester Historic District, Eichelberger House, Centralia Post Office, Circle Oaks, and Ragland House.

A meeting was held at the NPS Petersburg National Battlefield office in Petersburg, VA, on May 12, 2009, with representatives from the NPS and the City of Petersburg Preservation Planning office. The project alternatives were presented and input was solicited on measures to minimize impacts to Defense Road and the Bridge over Defense Road.

The project team met with representatives of the Town of La Crosse, VA, and members of the public to discuss the project on July 22, 2003; December 10, 2004; January 30, 2006; May 10, 2006; and September 18, 2006. At these meetings, the proposed project designs were presented for comment. Impacts to the historic district were considered in the evaluation of the designs.

Members of the SEHSR project team met with representatives of the Town of Henderson, NC, and members of the public to discuss the project on June 24, 2003; February 14, 2006; and September 20, 2007. At these meetings, the proposed project designs were presented for comment. Impacts to the historic district were considered in the evaluation of the designs.

The project team met with representatives of the Town of Franklinton, NC, and members of the public to discuss the project on June 26, 2003, and May 9, 2008. At these meetings, the proposed project designs were presented for comment. Impacts to the historic district were considered in the evaluation of the designs.

The project team met with representatives of the City of Raleigh and members of the public to discuss the project on July 15, 2003; January 13, 2005; September 21, 2005; April 7, 2008; and April 17, 2008. At these meetings, the proposed project designs were presented for comment. Impacts to the historic district were considered in the evaluation of the designs.

On October 20, 2009, the SEHSR project team discussed the project with a member of the City of Raleigh Planning Department, which supports the 12-member Raleigh Historic Districts Commission, the citizens' body appointed by the city council to advise on issues related to locally-recognized historic districts. Subsequently, the proposed project designs were provided to the City and meetings are being scheduled for early 2010 to solicit input on measures to minimize harm to the Roanoke Park Historic District, Raleigh Electric Company Power House, and Carolina Power and Light Company Car Barn and Automobile Garage.

### **7.3.2 Correspondence**

Letters were sent to all property owners located within the Henderson Historic District and South Henderson Industrial Historic District in August 2009 inviting them to participate in the SEHSR Section 106 process. A meeting to discuss minimization and mitigation for impacts to the district will take place in early 2010.

Letters were sent to all property owners located within the Franklinton Historic District in August 2009 inviting them to participate in the SEHSR Section 106 process. A meeting to discuss minimization and mitigation for impacts to the district will take place in early 2010.

Letters were sent to all potentially impacted property owners within the Roanoke Park Historic District and the owner of the Raleigh Electric Company Power House and Carolina Power and Light Company Car Barn and Automobile Garage in October 2009 inviting them to participate in the SEHSR Section 106 process. A meeting to discuss minimization and mitigation for impacts to the resources will take place in early 2010.

On October 5, 2009, a letter was sent to CSX Transportation inviting them, as the primary property owner within the Raleigh and Gaston Railroad Corridor, to participate in the Section 106 consultation process for the SEHSR project. At the time of publication of this document, no response has been received.

### **7.3.3 Consulting Parties**

The following entities were invited to participate as consulting parties under the Section 106 process for the SEHSR project (\* indicates acceptance of invitation):

- Alliance to Conserve Old Richmond Neighborhoods
- American Battlefield Protection Program
- Atlantic Coast Line & Seaboard Air Line Railroad Historical Society
- Battersea, Inc.\*
- Brunswick County Historical Society (VA)
- Catawba Indian Tribe
- Central Virginia Battlefields Trust
- Chesterfield Historical Society (VA)\*
- Civil War Preservation Trust
- CSX Transportation
- Dinwiddie County Historical Society (VA)
- Historic Richmond Foundation (VA)\*
- Historic Petersburg Foundation (VA)
- Mecklenburg Historical Society (VA)
- National Park Service – Petersburg National Battlefield\*

- National Park Service – Richmond National Battlefield\*
- Raleigh Historic Districts Commission (NC)\*
- Southside Virginia Genealogical Society
- Virginia Council on Indians\*

In addition to these organizations, letters were sent to all property owners located within the Henderson Historic District (NC), Franklinton Historic District (NC), and South Henderson Industrial Historic District (NC) inviting them to participate in the SEHSR Section 106 process. There are no historic societies within the counties where these districts are located.